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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,862	07/10/2001	Travis M. Cossel	10010791-1	1680

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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Fort Collins, CO 80527-2400

EXAMINER

KIBLER, VIRGINIA M

ART UNIT	PAPER NUMBER
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2623

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DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,862

Applicant(s)

COSSEL, TRAVIS M.

Examiner

Virginia M Kibler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.5
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "the cover" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6, 9-11, 14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford (GB 2331820).

Regarding claims 1, 9, and 17, Crawford discloses scanning a user's finger on a multifunction peripheral to obtain a biometric image (Page 1, lines 1-25, 36-38, Page 2, lines 1-11; Figure 1), obtaining a biometric image by scanning a user's finger (Page 3, lines 18-21),

comparing the biometric image to a biometric key (Page 3, lines 21-23), and authenticating a user of the multifunction peripheral based on a match between the biometric image and the biometric key (Page 3, lines 23-27). Crawford discloses a fingerprint sensor 40 located on the user interface 30 on the multifunction peripheral to provide easy access for a user (Page 2, lines 4-5). Crawford does not provide details of the fingerprint sensor and does not appear to recognize the sensor including a finger slot. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a finger slot adjacent to an image window in a scanner portion of the multifunction peripheral or a finger slot defined within the cover of a scanner portion of a multifunction peripheral. Applicant has not disclosed that providing a finger slot provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the fingerprint sensor disclosed by Crawford or the claimed finger slot because both provide a fingerprint reading in order to identify an authorized user of the multifunction peripheral. Therefore, it would have been obvious to one of ordinary skill in the art to modify Crawford to obtain the invention as specified in claims 1, 9, and 17.

Regarding claims 2, 10 and 19, Crawford discloses distributing storage of each biometric key to a file system of which an originator of the biometric key has control (Page 1, lines 36-37, Page 2, lines 1-11).

Regarding claims 3, 11, and 18, Crawford discloses prompting the user for entry of a user name to direct retrieval of the biometric key (Page 3, lines 18-27).

Regarding claims 6, 14, and 20, Crawford discloses basing the storage of biometric on the multifunction peripheral (Figure 1; Page 1, lines 36-37, Page 2, lines 1-11).

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5. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford (GB 2331820) as applied to claims 1 and 9 above, and further in view of Edmonds, III et al. (6,229,908).

Regarding claims 8 and 16, Crawford discloses a fingerprint sensor 40 located on the user interface 30 on the multifunction peripheral to provide easy access for a user (Page 2, lines 4-5). Crawford does not provide details of the fingerprint sensor and does not appear to recognize the sensor including a resilient shroud within a finger slot. However, Edmonds, III et al. ("Edmonds") discloses including a shroud within a finger slot (Figure 2) of a fingerprint sensor. Crawford and Edmonds are combinable because they are from the same field of endeavor of fingerprint recognition. At the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the fingerprint sensor disclosed by Crawford to include a finger slot with a resilient shroud. The motivation for doing so would have been to prevent the occurrence of noise due to external light thereby increasing the accuracy of the system. Therefore, it would have been obvious to combine Crawford with Edmonds to obtain the invention as specified in claims 8 and 16.

6. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford (GB 2331820) as applied to claims 1 and 9 above, and further in view of Houdeau (6,522,773).

Regarding claims 7 and 15, Crawford discloses a fingerprint sensor 40 located on the user interface 30 on the multifunction peripheral to provide easy access for a user (Page 2, lines 4-5). Crawford does not provide details of the fingerprint sensor and does not appear to recognize the sensor including activating the scanner portion of the multifunction peripheral in response to a

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sensor detecting the user's finger. However, Houdeau discloses a sensor switch adjacent to a finger slot to activate the sensor (Col. 1, lines 30-35; Col. 3, lines 26-44). Crawford and Houdeau are combinable because they are from the same field of endeavor of fingerprint recognition. At the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the fingerprint sensor disclosed by Crawford to include activating the scanner portion in response. The motivation for doing so would have been for the sake of energy conservation. Therefore, it would have been obvious to combine Crawford with Houdeau to obtain the invention as specified in claims 7 and 15.

7. Claims 4, 5, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford (GB 2331820) as applied to claims 1 and 9 above, and further in view and Stocket ("Securing Data and Financial Transactions").

Regarding claims 4, 5, 12, and 13, Crawford discloses networking multifunction peripherals (Page 1, lines 8-11), but does not appear to recognize distributing the storage of the biometric keys to workstations or basing the storage on a server. However, Stocket discloses that is known to distribute the storage of biometric keys to workstations or to store the biometric keys on a server (Pages 399-401; Figure 1). Crawford and Stocket are combinable because they are from the same field of endeavor of fingerprint recognition. At the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the fingerprint recognition disclosed by Crawford to expressly include storing the biometric keys on either the workstations or the server. The motivation for doing so would have been because it is well known in the implementation of ID verification and depends upon the needs of a particular

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application. Therefore, it would have been obvious to combine Crawford with Stocket to obtain the invention as specified in claims 4, 5, 12, and 13.

Other Prior Arts Cited

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6507912 to Matyas, Jr. et al. for protection of biometric data via key-dependent sampling;

U.S. Pat. No. 5995643 to Saito for image input system based on finger collation; and

U.S. Pat. No. 5970218 to Mullin et al. for private print.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Virginia M Kibler whose telephone number is (703) 306-4072. The examiner can normally be reached on Mon-Thurs 8:00 - 5:30 and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703) 308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Virginia Kibler
07/09/04

MEHRDAD DASTOURI
PRIMARY EXAMINER

